IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

Bail Appl..No. 7205 of 2007()

(CRIME NO.13/07 OF KODUNGALLUR EXCISE RANGE)

APPLICANT/ACCUSED:

MANI @ SUBRAMANIAN,
S/O.LUXMANAN, ELAMASSERY HOUSE,
KOYA BASAR, KUMBALANGI, KOCHI.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE EXCISE INSPECTOR
OF KODUNGALLUR EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J.

B.A.No.7205 of 2007

Dated this the 27th day of November 2007

O R D E R

Second application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. An earlier application for regular bail was dismissed by this court as per order dated 31/10/2007 in B.A.No.6625/2007. The petitioner, claiming to be a Homoeo Practitioner, had allegedly kept in his unauthorised possession 53.1 litre of spirit. Offence was detected and the petitioner was arrested on 12/10/2007. The petitioner has no history of any criminal antecedents, submits the learned Public Prosecutor. The petitioner takes the plea that he, as a medical practitioner, is entitled to keep spirit in his possession in connection with his medical practice.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007